

BILL NO. Z-72-04-2f

ZONING MAP ORDINANCE NO. Z- Defeated

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. D11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. D11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot numbered 14 St. Joseph Park Addition, Recorded in Plat Book # 3, page # 68, in Allen County, Indiana, except the following described parcel, to-wit: Beginning at the Southwest corner of Lot Number 14 St. Joseph Park Addition; thence Northeasterly along the St. Joe Gravel Road, a distance of 95 feet to a point; thence in a Southeasterly direction on a line parallel with the North line of Lot Numbered 14 a distance of 200 feet to a point, thence in a Southwesterly direction and parallel with the St. Joe Gravel Road, a distance of 95 feet to the South line of Lot Numbered 14; thence in a Northwesterly direction 200 feet to the point of beginning in Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kranof
Councilman

APPROVED AS TO FORM
AND LEGALITY,
Paul S. [Signature]
CITY CLERK

Read the first time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Regulation (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on~~ the _____ day of _____, 19____, at _____ o'clock P.M., E.S.T.

Date: April 25, 1972

Charles W. Mishra
CITY CLERK

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. ~~Passed~~ (LOST) by the following vote:

AYES _____	NAYS <u>5</u>	ABSTAINED _____	ABSENT <u>1</u> to-wit:
Burns _____	<u>✓</u>	_____	_____
Hinga _____	<u>✓</u>	_____	_____
Kraus _____	<u>✓</u>	_____	_____
Nuckols _____	_____	_____	_____
Moses _____	<u>✓</u>	_____	_____
Schmidt, D. _____	<u>✓</u>	_____	_____
Schmidt, V. _____	<u>✓</u>	_____	_____
Stier _____	<u>✓</u>	_____	_____
Talarico _____	<u>✓</u>	_____	_____

Date June 13, 1977

Charles W. Mishra
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____-at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____ at the hour of _____ o'clock _____ m., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, The Common Council of the City of Fort Wayne, Indiana, on April 24, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-04-28; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

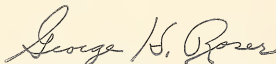
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1972.

Certified and signed this
6th day of June 1972.



George Roser
Secretary

Bill No. Z-72-04-28

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. D11.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do Not PASS.

Eugene Kraus, Jr. - Chairman

James S. Stier - Vice-Chairman

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

Eugene Kraus
James S. Stier
William T. Hinga
Paul "Mike" Burns
Vivian G. Schmidt

CONCURRED IN
DATE 6-13-72 CHARLES W. WESTERMAN, CITY CLERK

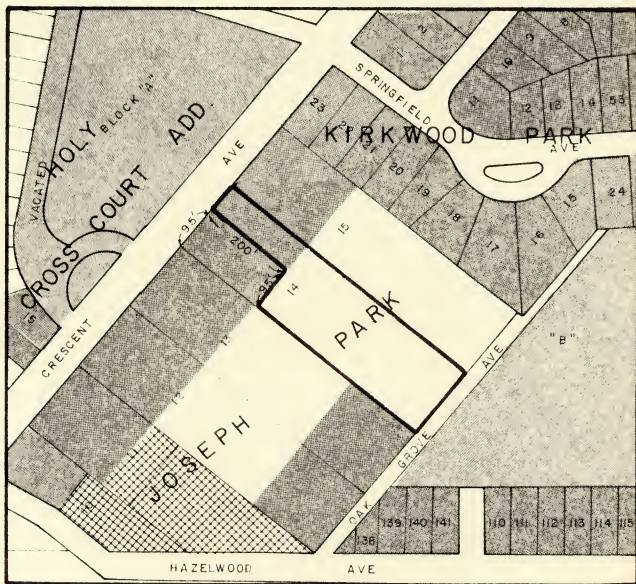
RECEIPT

N^o 131

GENERAL FUND

FT. WAYNE, IND., April 18 19 72RECEIVED FROM Alton Bloom \$ 50.00THE SUM OF Fifty and 00/100 ¹⁰⁰ DOLLARSON ACCOUNT OF Lot #14, St. Joe Park AdditionBarb Steuler

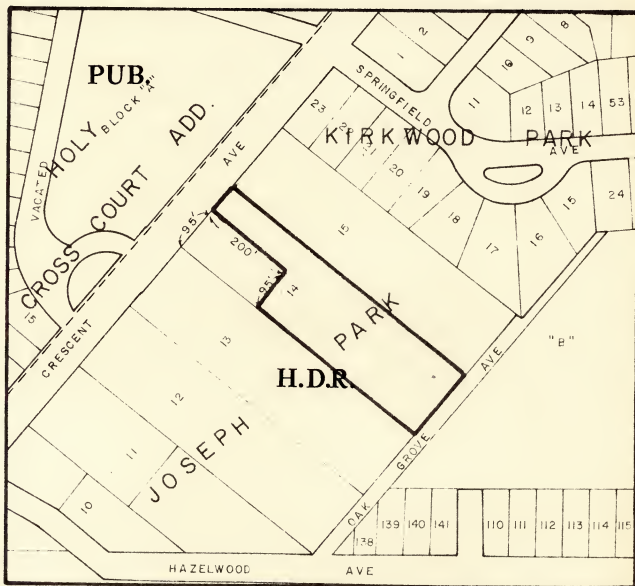
AUTHORIZED SIGNATURE



EXISTING LAND USE MAP 2-7204-28

N

- VACANT LAND
- LOW DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- PUBLIC AND SEMI-PUBLIC



PROPOSED LAND USE MAP

2-72-04-28

----- LAND USE AREA

H.D.R. - HIGH DENSITY RESIDENTIAL

PUB. - PUBLIC AND SEMI-PUBLIC

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

Mr. Ralph Blume
344 Utility Building
Fort Wayne, Indiana 46802

Dear Ralph:

The forwarding of this petition to rezone was delayed because of the existing requirement for a thorough check of the description by the City Engineering Department.

We received this petition on March 17, 1972.

It would be appreciated if this petition could be assigned a Bill Number in the order that the request came to us.

Sincerely,

CITY PLAN COMMISSION

Marshall Snyder
Marshall Snyder
Draftsman

MS:mo

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use Rado and T.V. Repair
Service

I/We Tiffin Chapter of the Order of DeMolay as Trustee
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne,
Indiana, by reclassifying from a/an R 1 District to a/an B-1
District the property described as follows:

Recorded in Plat Book # 3, page # 68

Lot numbered 14 St. Joseph Park Addition, in Allen County,

Indiana, except the following described parcel, to-wit:

Beginning at the Southwest corner of Lot Number 14

St. Joseph Park Addition; thence Northeasterly along

the St. Joe Gravel Road, a distance of 95 feet to a

point; thence in a Southeasterly direction on a line

parallel with the North line of Lot Numbered 14 a

distance of 200 feet to a point, thence in a Southwesterly

direction and parallel with the St. Joe Gravel Road,

a distance of 95 feet to the South line of Lot Numbered 14;

thence in a Northwesterly direction 200 feet to the point

of beginning in Allen County, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
percentum (51%) or more of the property described in this petition.

Tiffin Chapter of the Order of DeMolay Trustee

(Name)

(Address)

(Signature)

By Michael Roach Agent

Legal Description Checked By: Deanne Embury for Ken Brown

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under ad-
visement shall be filed in writing in the Office of the City Plan Commission
by noon on the Wednesday preceding the meeting of the City Plan Commission
at which the ordinance is to be considered. If the request for a continuance
or advisement is filed within the required time, the matter will not be put
on the agenda for that meeting. It shall be the obligation of the petitioner
to notify the same property owners which the Plan Commission had notified by
mail that the hearing has been postponed or rescheduled and inform them of
the time and place of the meeting at which the ordinance will be considered.
All withdrawals of ordinances must be made in writing prior to the Plan Com-
mission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Alton Bloom

(Name)

1514 A.W. Bank Bldg.

(Address)

742-1463

(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

HERMAN S.
STRAUSS
ARCHITECT

61 Persons
opposed

May 12, 1972

Fort Wayne City Plan Commission
8th Floor - City-County Building
One Main Street
Fort Wayne, Indiana 46802


Re: Proposed Ammendment
Lot No. 14 of St. Joseph
Park Addition

Gentlemen:

Attached kindly find self-explanatory
remonstrances respectfully petitioning
you to not amend the Fort Wayne
Zoning ordinance from R 1 to B 1.

Kindly note that there are no less than
61 signatures and that all streets
surrounding the property on all sides
are represented. These streets are:
Crescent Ave, Springfield Ave., Hazelwood
Ave. and Oak Grove. Further note that
property owners in the immediate vicinity
are represented and reside on Springfield,
Kirkwood Drive and Kirkwood Circle.

Sincerely,


Herman S. Strauss

REMONSTRANCE

We, the undersigned residents in the immediate vicinity of Lot No. 14 of St. Joseph Park Addition in Allen County, respectfully petition the Fort Wayne City Plan Commission to not amend the Fort Wayne Zoning Ordinance from R 1 to B 1 for the above-mentioned real estate for the following reasons:

B 1 designation would permit commercial and other uses of said land which would be contrary to the master plan adopted by the Common Council of the City of Fort Wayne because all of the uses of land in the immediate vicinity of the above-mentioned real estate conforms to R 1, single family residential use.

NameAddress

Joseph J. Hufeld

3520 KIRKWOOD CIRCLE

Arthur Gentry

3534 Kirkwood Circle

Edwin Strasburg

3540 - Kirkwood Circle

Richard A. Salisbury

3602 Kirkwood Cr.

Mrs. R. A. Salisbury

3602 Kirkwood Cir.

Norma Thornhill

3606 Kirkwood Cir.

Robert J. Thornhill

3606 Kirkwood Cir.

Helen Hufeld

3520 Kirkwood Cir

Mabel Mason

3435 1/2 Kirkwood Dr.

REMONSTRANCE

We, the undersigned residents in the immediate vicinity of Lot No. 14 of St. Joseph Park Addition in Allen County, respectfully petition the Fort Wayne City Plan Commission to not amend the Fort Wayne Zoning Ordinance from R 1 to B 1 for the above-mentioned real estate for the following reasons:

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<u>Name</u>	<u>Address</u>
<u>Jeanette E. Wehler</u>	<u>3432 Rolston Ave</u>
<u>Mr. & Mrs. Philip D. Hudson</u>	<u>3415 Rolston Ave.</u>
<u>Mr. & Mrs. Chester C. Baker</u>	<u>3517 Rolston</u>
<u>Elmer H. Petzold</u>	<u>3535 Rolston</u>
<u>Harold H. Gerbers</u>	<u>3532 Rolston</u>
<u>Mr. and Mrs. John Fitzgerald</u>	<u>8515 Rolston Dr.</u>
<u>The Rev. and Mrs. C. C. Randall</u>	<u>3530 Kirkland Drive</u>
<u>Mr. & Mrs. Wm E. Brant</u>	<u>3535 Kirkland Drive</u>
<u>Mr. & Mrs. B. Decker</u>	<u>3531 Kirkland Drive</u>
<u>Mr. & Mrs. O. K. Shuck</u>	<u>3525 Kirkland</u>
<u>Dr. & Mrs. R. H. Hillyer</u>	<u>3513 Kirkland</u>
<u>Mr. & Mrs. R. D. Shultz</u>	<u>3518 Kirkland</u>

Mrs Carl H Bartels 3510 Kirkland Lane

Mr & Mrs Frank W. Smitley 3504 Kirkland

Mr & Mrs Chas Perkins 3501 Kirkland

Stella Perkins 3501 Kirkland

Mr & Mrs Harvey Beckmann 3435 Kirkland

Magdalen M. Mahon 3511 Rolston

Clare Bendick 11

Frank Johnston 3429 Rolston

Mr & Mrs Paul Goulet 3423 Rolston

Dr & Mrs Jack Catman 3411 Rolston

Mr & Mrs Wm Bade - 2550 Springfield Ave

Mr & Mrs Herman L. Friedrich Jr. 3414 Rolston Ave.

Mrs Mrs Robert Koeninger 3420 Rolston

Mr & Mrs Richard W. Schwan 3421 Rolston

John C Kreider 3446 Rolston

Mrs John Kreider 3440 Rolston

Edward J Sperrin 3528 Rolston

Mrs Edw J Sperrin 3528 Rolston

Mrs Mrs Erwin S. Lepper 3501 Rolston

Arnold S. Jone 2602 Springfield

REMONSTRANCE

We, the undersigned residents in the immediate vicinity of Lot No. 14 of St. Joseph Park Addition in Allen County, respectfully petition the Fort Wayne City Plan Commission to not amend the Fort Wayne Zoning Ordinance from R 1 to B 1 for the above-mentioned real estate for the following reasons:

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NameAddress

<u>Mrs. Terry J. Koch</u>	<u>2704 Springfield Ave.</u>
<u>Mr. & Mrs. Lloyd Bryan</u>	<u>3420 Kirkwood Drive</u>
<u>Monica Buetter</u>	<u>3422 Kirkwood Dr.</u>
<u>Mildred A. Buetter</u>	<u>3422 Kirkwood Dr.</u>
<u>Helen T. Buetter</u>	<u>3422 Kirkwood Dr.</u>
<u>Mrs. Maurice W. Page</u>	<u>3424 Kirkwood Dr.</u>
<u>Theodore L. Schanner</u>	<u>3415 Kirkland Lane</u>
<u>Mrs. J. R. Schanner</u>	<u>3415 Kirkland Lane</u>
<u>Mrs. Walter H. Lupton</u>	<u>3414 Kirkland Lane</u>
<u>Mr. Anthony Wagner</u>	<u>3401 Kirkwood Drive</u>
<u>Mrs. Anthony Wagner</u>	<u>3401 Kirkwood Drive</u>
<u>R. B. Manly</u>	<u>3404 Kirkwood</u>

REMONSTRANCE

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<u>Name</u>	<u>Address</u>
<u>Mrs. + Mrs. Joseph Ragot</u>	<u>2401 Hazelwood Ave.</u>
<u>Mrs. + Mrs. Lina R. Madden</u>	<u>2315 Hazelwood Ave</u>
<u>Mrs. + Mrs. Earl Burdner</u>	<u>2309 Hazelwood</u>
<u>Mr. + Mrs. Charles Joseph</u>	<u>2303 Hazelwood Ave</u>
<u>Mr. + Mrs. Wm. J. Borders</u>	<u>2225 Hazelwood</u>
<u>Mr. Bruce S. Borders</u>	<u>2225 Hazelwood</u>
<u>Mr. + Mrs. Daniel P. Fedak</u>	<u>2219 Hazelwood</u>
<u>Mr. + Mrs. Jim Furas</u>	<u>2207 Hazelwood</u>
<u>Mr. + Mrs. Timothy W. Boezor</u>	<u>2201 Hazelwood Ave.</u>
<u>Mrs. D. Pennington</u>	<u>2121 Hazelwood Ave.</u>
<u>Mr. + Mrs. Paul R. Bullard</u>	<u>2108 Hazelwood Ave</u>
<u>Mrs. Shirley E. Cole</u>	<u>2120 Hazelwood Ave.</u>
<u>Mr. + Mrs. Janie Forthel</u>	<u>2328 Hazelwood Ave.</u>

Council Chambers
Allen County Jail

Monday
7:30 PM

Name

Address

59

Mrs. Karen Bordner

2202 Hazelwood

Mr + Mrs Wayne Williams

2212 Hazelwood

Mr. + Mrs. Arthur Getty

2228 Hazelwood Ave.

Mr + Mrs Harold Hartman

2304 Hazelwood Ave.

Mr + Mrs Lyle Miller

2310 Hazelwood Ave

Mrs Virginia Leeper

2325 Hazelwood Ave.

Mr. + Mrs Harry J. Blair

2331 Hazelwood Ave

Mr + Mrs Louis Haukech

2411 Hazelwood

Mr + Mrs John G. Wilson

2417 Hazelwood Ave.

Mr. + Mrs C. C. Hallenbeck

2429 Hazelwood Ave.

Mr + Mrs Joseph E. Lane

2505 Hazelwood Ave

Mr. + Mrs Luther P. Kable

2509 Hazelwood Ave.

Mr + Mrs. Henry McEug

2517 Hazelwood "

Mr + Mrs B. C. Brantley

2520 Hazelwood Ave.

Mr. + Mrs. R. W. Robnolte

2516 Hazelwood Ave.

James R. Darrow

2508 Hazelwood Ave.

Mrs. George Rackett

2507 Hazelwood Ave.

Mrs Kenneth Bering

2424 Hazelwood Ave

Mr + Mrs Adriano Esteve

2418 Hazelwood Ave

Mr + Mrs John R. Hitchcock

2412 Hazelwood Ave

REMONSTRANCE

We, the undersigned residents in the immediate vicinity of Lot No. 14 of St. Joseph Park Addition in Allen County, respectfully petition the Fort Wayne City Plan Commission to not amend the Fort Wayne Zoning Ordinance from R 1 to B 1 for the above-mentioned real estate for the following reasons:

B 1 designation would permit commercial and other uses of said land which would be contrary to the master plan adopted by the Common Council of the City of Fort Wayne because all of the uses of land in the immediate vicinity of the above-mentioned real estate conforms to R 1, single family residential use.

NameAddressRobert Kester2130 SpringfieldMary Ann Kester2130 SpringfieldBarbara Truchess2136 SpringfieldAlvin M. Strauss3236 Crescent AveHerman Strauss3236 CRESCENT AVE.

REMONSTRANCE

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NameAddressAlbert J. Adams3511 Kirkwood Dr.Frieda M. Adams3511 Kirkwood Dr.Robert Bogenschuetz3525 Kirkwood Dr.Helen M. Denney3517 Kirkwood Dr.

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NameAddressLachlan Turner2103 Hazelwood AveHermin D. Block2109 HazelwoodRobert F. Worley2020 HazelwoodRep. Worley2020 HazelwoodJudy Osburn2014 HazelwoodBill Osburn2014 HazelwoodWoodruff Schletter3223 Oak Grove AvenueJeanita G. Schletter3223 Oak Grove Ave.

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NameAddress

<u>H-L. Blackburn</u>	<u>2114 Springfield Ave City</u>
<u>Mrs H-L. Blackburn</u>	<u>2114 Springfield Ave City</u>
<u>M. E. Dellinger</u>	<u>2102 Springfield</u>
<u>Donald S. Sizer</u>	<u>2110 Springfield Ave.</u>
<u>Raymond J. Shargo</u>	<u>2110 SPRINGFIELD AVE</u>
<u>Carol M. Wick</u>	<u>2320 Springfield</u>
<u>Alfred A. Wick</u>	<u>2320 Springfield</u>
<u>Ernest M. McAfee</u>	<u>2310 Springfield</u>
<u>Clare A. McAfee</u>	<u>2310 Springfield</u>
<u> </u>	<u> </u>
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<u> </u>	<u> </u>

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NameAddressOlivia E. (Gene) Conner2120 Springfield AveRuth E. Conner2120 Springfield AveJack D. Spindler2201 Springfield Ave.Theresa Spindler" " "Ronald R. Hassman2140 Springfield AveSusanna Hassman" " "Edwin A Benz2206 Springfield AveNorma E. Benz" "George M. Paul2224 Springfield AvePaul & Dainton2402 SpringfieldMrs Paul Dainton2402 Springfield

R E M O N S T R A N C E

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NameAddressMr. + Mrs. R. Scheimann3415 Kirkwood

R E M O N S T R A N C E

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NameAddressBerkley Manley3404 Kirkwood Dr.

HERMAN S.
STRAUSS
ARCHITECT

May 12, 1972

Fort Wayne City Plan Commission
8th Floor - City-County Building
One Main Street
Fort Wayne, Indiana 46802

Re: Proposed Ammendment
To the Zoning Ordinance
Lot No. 14 of St. Joseph
Park Addition

Gentlemen:

Both my wife and I would like for you to know that we are opposed to the proposed amendment to the Fort Wayne Zoning Ordinance changing the above described property from R 1 to B 1 for the following reasons:

1. The first is the most obvious, yet we feel the strongest: a B 1 designation would permit commercial and other uses of said land which would be contrary to Fort Wayne's master plan. All the uses of land in the immediate vicinity conforms to R 1, single family residential use. This includes each and every of the fifteen lots comprising the areas bounded by the four streets surrounding subject property.
2. The nearest business is located approximately 750 feet to the south - a minute speciality neighborhood "shopping center" composed of five stores. There is no other business use, let us say, for a mile to the north and east of this land. To the west is Holy Cross Lutheran school and church, and beyond this, further to the west, is North Anthony Shopping Center which fronts on North Anthony Boulevard. This first request for business in this location should not be permitted.
3. This land is located in a block approximately 1150 feet in length. If this change would occur it would mean that a property with a 70 foot frontage would be commercial, yet surrounded by residential usage 750 feet to the south (Hazelwood Avenue) and 330 feet to the north (Springfield Ave.).

HERMAN S.
STRAUSS
ARCHITECT

Page two

City Plan Commission

May 12, 1972

4. This land abuts the City of Fort Wayne's Lions Park. We do not feel commercial use should be in this absolute proximity to a playground.
5. There have been numerous auto accidents at the intersection of Crescent and Springfield Avenues. The intended use would create a worse problem than already exists. Further, we have been informed that the purchaser of this property is proposing a driveway whereby autos will have both an ingress and egress connected by pavement. In my professional judgement this will necessitate full pavement of the "home's" front yard, which certainly will not conform to the residential character of all adjacent properties, and will further add to the confusion on Crescent Avenue.
6. Holy Cross Lutheran Church and School is directly across the street. I do not believe that they would be happy about such a commercial venture. I feel that you are aware that the church has, on numerous occasions, requested that a traffic signal be installed at the intersection of Springfield and Crescent Aves. Their children have great difficulty crossing the busy Crescent Ave. This proposed use would greatly compound that problem.
7. We very sincerely feel that if Lot 14 was amended to a B 1 district then all owners of lots 10, 11, 12, 13 and 15 would be allowed the priviledge of proposing and obtaining the B 1 district designation, limited business. If this is not to be true then all of the above described arguments shall stand as outlined.

Respectfully Submitted,

Alice M. Strauss

Alice M. Strauss

Herman S. Strauss

Herman S. Strauss